

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**JAMES M. GARDNER**

**PETITIONER**

**v.**

**No. 3:23CV51-MPM-JMV**

**PANOLA COUNTY, MISSISSIPPI  
TATE COUNTY, MISSISSIPPI  
MISSISSIPPI DEPT OF CORRECTIONS**

**RESPONDENT**

**FINAL JUDGMENT**

In accordance with the memorandum opinion issued today in this cause, the motion by the State to dismiss the instant petition for a writ of *habeas corpus* is **GRANTED**, and petition is **DISMISSED**.

The petitioner's claims challenging his original plea and sentences are **DISMISSED** with prejudice as time-barred under 28 U.S.C. § 2244(d) and, alternatively, as procedurally defaulted.

The petitioner's claims challenging the revocation of his PRS are **DISMISSED** with prejudice for want of substantive merit.

The petitioner's claims regarding the conditions of his confinement are **DISMISSED** without prejudice for failure to state a valid *habeas corpus* claim.

The petitioner's request for an evidentiary hearing is **DENIED**.

**SO ORDERED**, this, the 1st day of June, 2023.

/s/ Michael P. Mills  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF MISSISSIPPI